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Attorneys for La Verne Hutto

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

LA VERNE HUTTO, Personal)
Representative of the ESTATE OF SVEN)
HAAKANSON, SR. and the Beneficiary)
of the Estate,)
Plaintiff,)

vs.)

JOINT MOTION FOR MEDIATION

UNITED STATES OF AMERICA; HANS)
U. TSCHERSICH, MD; JOHN G.)
LUNDBLAD, MD, and KODIAK)
ISLAND HOSPITAL AND CARE)
CENTER,)
Defendants.)

Case No. 3:05-CV-088-RRB

Pursuant to Local Rule 16.2, Plaintiff La Verne Hutto, Personal Representative of the Estate of Sven Haakanson, Sr., by and through counsel Ashburn & Mason, P.C., Defendants John Lunblad, M.D. and Kodiak Island Hospital, by and through counsel

Delaney, Wiles, Hayes, Gerety, Ellis & Young, Inc., Defendant Hans U. Tschersich, by and through counsel Gilmore & Doherty, P.C., and Defendant United States of America, through counsel, hereby move for a Court ordered mediation before The Honorable H. Russell Holland on one of the following dates: April 25, 26, 27, or 28, 2006 – the earliest dates all parties are available for a mediation. The parties joining this motion have agreed that submitting the above-captioned litigation to a non-binding mediation will aid in the possible settlement of this dispute and avoid the significant cost and expense of trial.¹ The parties joining this motion have only agreed to Judge Holland as a mediator and at this time, are only all available on April 25, 26, 27 or 28, 2006.

ASHBURN & MASON, P.C.
Attorneys for Plaintiff

DATED: _____

/s/ Donna J. McCready
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¹ In this medical malpractice action, discovery is nearly complete and the parties have hired a total of eighteen different experts located throughout the United States. The parties joining this motion believe that at this point in the litigation, mediation would be most productive. The parties joining this motion also recognize that expert discovery and a trial would consume significant resources of both the parties and the court and hope that mediation will avoid this time and expense.

DELANY WILES HAYES GERETY
ELLIS & YOUNG, INC.

Attorneys for Defendants John G. Lundblad
M.D and Kodiak Island Hospital and Care
Center

DATED: _____

/s/ Howard A. Lazar (consent)

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GILMORE & DOHERTY, P.C.

Attorneys for Defendant Hans U. Tschersich
M.D.

DATED: _____

/s/ James Gilmore (consent)

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U.S. DEPARTMENT OF JUSTICE
U.S. ATTORNEY'S OFFICE
DISTRICT OF ALASKA
Attorneys for Defendant U.S.A.

DATED: _____

/s/ Susan Lindquist (consent)

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of February, 2006,
a copy of the foregoing Joint Motion for Mediation
was served electronically on:

Howard A. Lazar
Delaney, Wiles, Hayes, Gerety, Ellis & Young, Inc.
1007 W Third Avenue, Suite 400
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/s/ Donna J. McCready

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